

BILL NO. Z-87- 08-07

ZONING MAP ORDINANCE NO. Z-

*Withdrawn*

AN ORDINANCE amending the City of  
Fort Wayne Zoning Map No. K-2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is  
hereby designated a M-1 (Light Industrial) District under  
the terms of Chapter 33 of the Code of the City of Fort  
Wayne, Indiana of 1974:

Lot 31 in Stophlet's Addition to the City of Fort  
Wayne, according to the recorded plat thereof, in Allen  
County, Indiana,

and the symbols of the City of Fort Wayne Zoning Map No.  
K-2, as established by Section 11 of Chapter 33 of the Code  
of the City of Fort Wayne, Indiana are hereby changed  
accordingly.

SECTION 2. That this Ordinance shall be in full force  
and effect from and after its passage and approval by the  
Mayor.

*Charles B. Reed*  
Councilmember

APPROVED AS TO FORM AND LEGALITY:

*Bruce O. Boxberger*  
BRUCE O. BOXBERGER, CITY ATTORNEY

FOX RIVER BOND  
25% COTTON



Read the first time in full and on motion by Read  
seconded by Lin, and duly adopted, read the second time  
by title and referred to the Committee Regulations (and the  
Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,  
Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

DATE: 8-11-87

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by \_\_\_\_\_  
seconded by \_\_\_\_\_, and duly adopted, placed on its  
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____	_____
<u>BRADBURY</u>	_____	_____	_____	_____	_____
<u>BURNS</u>	_____	_____	_____	_____	_____
<u>EISBART</u>	_____	_____	_____	_____	_____
<u>GIAQUINTA</u>	_____	_____	_____	_____	_____
<u>HENRY</u>	_____	_____	_____	_____	_____
<u>REDD</u>	_____	_____	_____	_____	_____
<u>SCHMIDT</u>	_____	_____	_____	_____	_____
<u>STIER</u>	_____	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____	_____

DATE: \_\_\_\_\_

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort  
Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. \_\_\_\_\_

on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

ATTEST:

(SEAL)

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

\_\_\_\_\_  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana  
on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_

19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

Win Moses, Jr.  
WIN MOSES, JR., MAYOR



RECEIPT NO. \_\_\_\_\_

**THIS IS TO BE FILED IN DUPLICATE**

DATE FILED \_\_\_\_\_

INTENDED USE \_\_\_\_\_

I/~~We~~ Sidney R. Sheray, as President of  
Tri-State Plumbing & Electrical Supply Co., Inc.  
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne  
Indiana, by reclassifying from a/an R-2 District to a/an M-1  
District the property described as follows:

Lot 31 in Stophlet's Addition to the City of Fort Wayne, Indiana

(Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one  
percentum (51%) or more of the property described in this petition.

[Signature]

1120 Teylon

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by \_\_\_\_\_  
(OFFICE USE ONLY)

**NOTE FOLLOWING RULES**

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

Richard D. Robinson  
(Name)

Third Floor, Lincoln Tower  
Fort Wayne, IN 46802  
(Address & Zip Code)

(219) 423-9551  
(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning  
and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street,  
Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 11, 1987 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-87-08-07: and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 17, 1987.

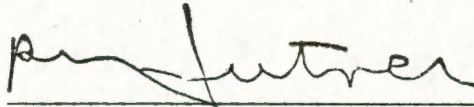
WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the written request.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 28, 1987.

Certified and signed this  
14th day of October 1987.

A handwritten signature in dark ink, appearing to read "Robert Hutner", is written over a horizontal line.

Robert Hutner  
Secretary

ORIGINAL

Admn. Appr. \_\_\_\_\_

COUNCILMANIC DISTRICT No. \_\_\_\_\_

DIGEST SHEET

ORIGINAL

TITLE OF ORDINANCE \_\_\_\_\_

Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE \_\_\_\_\_

Land Use Management - CD&P

SYNOPSIS OF ORDINANCE \_\_\_\_\_

1120 Taylor Street

3-87-08-07

EFFECT OF PASSAGE Property is presently zoned R-2 - Two Family Residential.  
Property will become M-1 - Light Industrial District.

EFFECT OF NON-PASSAGE Property will remain R-2 - Two Family Residential District.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_

(ASSIGN TO COMMITTEE (J.N.)) \_\_\_\_\_



# Division of Community Development & Planning

FACT SHEET

BILL NUMBER

## BRIEF TITLE

Zoning Ordinance Amendment

(From R-2 to M-1)

## APPROVAL DEADLINE

## REASON

## DETAILS

### Specific Location and/or Address

1120 Taylor Street

### Reason for Project

Future expansion of Tri State Plumbing.

### Discussion (Including relationship to other Council actions)

17 August 1987 - Public Hearing

Minutes of meeting are attached.

September 28, 1987 - Business Meeting

This petition was deferred at the request of the petitioner at the August Business Meeting to the September Business Meeting. The petitioner at the September Business Meeting requested that the ordinance be WITHDRAWN.

Motion was made to withdraw the ordinance. Motion carried.

Of the 9 members present 8 voted in favor of withdrawal one (1) did not vote.

## POSITIONS

## RECOMMENDATIONS

<b>Sponsor</b>	City Plan Commission
<b>Area Affected</b>	City Wide  Other Areas
<b>Applicants/Proponents</b>	Applicant(s) Tri-State Plumbing & Richard Poore City Department  Other
<b>Opponents</b>	Groups or Individuals Darryl Adams/1235 Stophlet Michigan Ave Association Basis of Opposition
<b>Staff Recommendation</b>	<input type="checkbox"/> For <input checked="" type="checkbox"/> Against  Reason Against
<b>Board or Commission Recommendation</b>	By  <input type="checkbox"/> For <input type="checkbox"/> Against <input checked="" type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to condition (See Details column for condition) Withdrawn by Petitioner
<b>CITY COUNCIL ACTIONS</b> (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass

# DETAILS

## POLICY/PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Project Start

Date July 17, 1987

Projected Completion or Occupancy

Date October 14, 1987

Fact Sheet Prepared by  
Patricia Biancaniello

Date October 14, 1987

Reviewed by  
*Greg Butler*  
Reference or Case Number

Date  
*October 20, 1987*



- c. Change of Zone #295  
From R-2 to M-1  
1120 Taylor Street
- d. Change of Zone #294  
From R-2 to M-1  
1134 & 1204 Taylor Street

Dick Robinson, attorney, stated he represent Tri-State Plumbing and Electrical Supply. He stated that Tri-State Plumbing is located at 1120 Taylor Street and the properties in question lie immediately adjacent to Tri-State going west on Taylor on the North side of the street. He stated that Tri-State is already zoned M-1 at 1120 Taylor Street and they are simply asking to extend an M-1 classification. He stated that there is an M-1 classification on the other side of Taylor Street extending west almost to the same point at which the petitioner's is requesting the M-1 classification be extended. He stated that they feel



that the improvements contemplated by Tri-State would better the current use and condition being made of this real estate and would generate tax revenues. He stated that this would enable a company which has been in business in Fort Wayne since 1952 to expand its operations and implement its future planning.

Sid Sheray, President of Tri-State Plumbing stated they intend, if the property is rezoned, they intend to construct a structure for warehousing. He presented the Commission with a letter from some of the area residents one being the property immediately adjacent to the proposed rezoning endorsing their request. He also showed the Commission a rendering of the proposed structure.

Steve Smith questioned why they were requesting M-1 zoning and not perhaps a less dense zoning which might enable them to expand as they wish.

Mr. Sheray stated that they felt there is a distinct advantage to owning adjacent parcels of property with the same zoning characteristics. He stated though that they were advised by the Planning Commission staff to request an extension of the present M-1 classification.

Mr. Robinson stated in their initial conversation with Planning Commission staff it was indicated that an extension of the existing zoning for Tri-State would be appropriate classification in this case. He stated that was the basis for them filing the petition asking for the same zoning classification for the parcels on which the expansion and the improvements.

Steve Smith suggested that they discuss with staff the possibility of a lesser zoning being used for their request such as B-3-B, prior to the business meeting.

John Shoaff questioned how far back they intended to construct their new building.

Sid Sheray stated that they are presently about 15 feet back from the front property line. He stated what they have planned for the front of this adjacent property is an additional parking area, landscaped in the front and the building would be to the back side of the property.

Mel Smith questioned if this would give them more or less parking spaces.

Mr. Sheray stated the expansion would give them more.

The following people spoke in opposition, not to the proposed use



but to the problem of the access through the alley which runs behind Tri-State. Their complain was generated toward the fact that Tri-State has delivery trucks blocking ingress/egress to this alley almost daily for several hours at a time. They were concerned that more construction would only add to this problem.

Floren Lieberenz, 1203 Stophlet Street  
Charles Heitzman, 1214 Taylor Street  
Robert Nicolet, 1211 Taylor Street  
James Shaw, 1225 Stophlet Street

Jane Porter, 2102 Pauline Street, a member of the Michigan Avenue Neighborhood Association stated that they are in the process of trying to downzone the area. She stated that the trend in the neighborhoods is to downzone. She stated they like their neighborhood and want to keep the businesses that are there. She stated though that they do not want expansion. She questioned if Mr. Sheray had approached the West Central Neighborhood Association.

Darryl Adams, owner of the property at 1235 Stophlet Street, an apartment building. He stated that he felt the use could be detrimental to the property values in the area.

Vice President of the Michigan Avenue Neighborhood Association stated that Taylor and Broadway are not large enough now to handle the traffic volume they carry and this would only increase the traffic problems in the area.

In rebuttal Mr. Sheray stated they are not attempting to put any thing else on the property except for a warehouse no light manufacturing. He stated that they are putting the access to the new building on the east side and not on the north side which is in the alley, so that they would be able to store their product without having to use the alley to the degree it is used now. He stated that it is a big inconvenience to have the alley blocked. He stated they at this time have no alternative at this time and that is what they are trying to provide with this rezoning.

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning.



BILL NO. Z-87-08-07

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (~~XXXXXXXXXX~~ (RESOLUTION)) amending the City of

Fort Wayne Zoning Map No. K-2

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG  
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)  
(RESOLUTION) Withdrawn

YES

NO

Janet G. Bradbury JANET G. BRADBURY  
CHAIRPERSON

Charles B. Redd CHARLES B. REDD  
VICE CHAIRMAN

Thomas C. Henry THOMAS C. HENRY

Paul M. Burns PAUL M. BURNS

Ben A. Eisbart BEN A. EISBART

CONCURRED IN 10-27-87

SANDRA E. KENNEDY  
CITY CLERK



# REZONING PETITION #295

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN R-2 DISTRICT TO AN M-1 DISTRICT.

MAP NO. K-2

COUNCILMANIC DISTRICT NO. 1

